



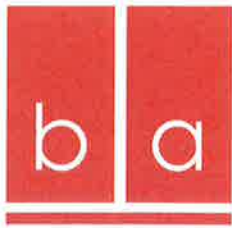
ZB / PB ~ STAFF COMMENTS TRACKING WORKSHEET

Address:	4 Hughes Place
Application #:	zb-25-2284
Description/Variations:	(c) – variance for front-yard setback to construct addition and (c) – variance for front-yard setback for A/C location
Sent to Staff for Comments:	May 7, 2025
Due Date:	May 27, 2025

Staff / Commission / Consultant	<u>Delivery Method</u>	<u>Report Attached with Comments</u>	<u>Report Attached with No Objections</u>	<u>Not Submitted</u>	<u>Not Required</u>
Eric Evers, Director Fire Chief	<input type="checkbox"/> Paper <input type="checkbox"/> Email	✓			
Steven Zagorski Police Chief	<input type="checkbox"/> Paper <input type="checkbox"/> Email		✓		
Engineering: Colliers	<input type="checkbox"/> Paper <input type="checkbox"/> Email	✓			
Ralph Maritato Construction Official	<input type="checkbox"/> Paper <input type="checkbox"/> Email	✓			
John Linson City Forester	<input type="checkbox"/> Paper <input type="checkbox"/> Email	✓			
Board of Health: Westfield	<input type="checkbox"/> Paper <input type="checkbox"/> Email		✓		
Historic Preservation Commission	<input type="checkbox"/> Paper <input type="checkbox"/> Email		✓		
Environmental Commission (if required)	<input type="checkbox"/> Paper <input type="checkbox"/> Email	✓			
City Planner: Burgis (if required)	<input type="checkbox"/> Paper <input type="checkbox"/> Email	✓			

AT DUE DATE / UPON RECEIPT FROM ALL STAFF:

Sent to Applicant:	____/____/____
Sent to Attorney:	____/____/____



COMMUNITY PLANNING
LAND DEVELOPMENT AND DESIGN
LANDSCAPE ARCHITECTURE

B U R G I S
ASSOCIATES, INC.

PRINCIPALS:
Joseph H. Burgis PP, AICP
Edward Snieckus, Jr. PP, LLA, ASLA
David Novak PP, AICP

MEMORANDUM

To: City of Summit Zoning Board of Adjustment
From: Ed Snieckus, Jr. PP, LLA and Tom Behrens, PP, AICP
Subject: Maleki Residence (ZB-25-2284)
4 Hughes Place
Block 4202 Lot 18
'c' Bulk Variance Requests
Date: May 28, 2025
BA#: 4269.18

I. INTRODUCTION

The Applicant, Mani Maleki, is requesting 'c' variance relief to develop a second floor dormer addition to accommodate a new bathroom and install a new a/c unit in the front yard area. The property is located in the R-6 Zone wherein the existing/proposed single-family dwelling is a permitted principal use. The extent of proposed improvements and required variance relief are detailed herein.

II. DOCUMENTS SUBMITTED

Our office has received and reviewed the following application documents:

1. Application forms and accompanying materials.
2. Property survey prepared by Templin Engineering Associates dated May 16, 2003.
3. Architectural plans (6 sheets) prepared by Dantas Carrete last revised June 26, 2023.
4. Proposed a/c unit location plan undated.
5. Site photographs.

III. PROPERTY DESCRIPTION

The site, identified as Block 4202 Lot 18 in City tax records, is a 0.21-acre triangular corner lot with frontages on Hughes Place and Baltusrol Road. The property is developed with a 1 1/2-story single-family dwelling with associated site improvements including a detached garage and paved driveway and walkways. Development surrounding the site generally consists of single-family uses. The following aerial image provides an overview of the subject site and surrounding development pattern.

IMAGE 1 - SITE AERIAL PHOTOGRAPH



Source: NJ Parcel Explorer, Rowan University.

IV. REQUIRED VARIANCE RELIEF

The development application requires the following variance relief:

1. 'c' Minimum Front Yard Setback. The proposed second floor dormer addition will have a nonconforming front yard setback of approximately 21 feet from the front lot line along Baltusrol Road where the R-6 Zone requires a minimum front yard setback of 25 feet.
2. 'c' Minimum A/C Front Yard Setback. A/C units are permitted in the front yard behind the R-6 Zone's minimum required front yard setback of 25 feet where the proposed a/c unit will have a nonconforming front yard setback of approximately 15 feet to the front lot line along Baltusrol Road. If approved, the proposed a/c unit in the front yard must be screened with dense landscaping or fencing. The area in question is enclosed by what appears to be a 4 foot high solid wood fence.

V. GENERAL COMMENTS

1. The proposed improvements constitute Phase 2 of previously approved improvements which include enclosure of the existing screened porch with a preexisting nonconforming front yard setback. The Applicant shall confirm the status of Phase 1 improvements.

2. The proposed second floor dormer addition will have a roof pitch of 5/12 which appears to be different than the pitch of the roof below. We question if the pitch of this dormer should be revised to match that of the roof below or the pitch of the existing dormer on the other side of the dwelling.

*Should the application be approved, the Applicant are hereby noticed to read the Zoning Board resolution of approval making note of all required conditions. It is the applicant's responsibility to take action necessary to meet the stated conditions prior to submitting a construction permit. Failure on the part of the applicant to meet the conditions will result in unnecessary delay in processing the construction and grading permit applications, as applicable.

VI. STATUTORY CRITERIA

The following is a summary of 'c' variance criteria required to be addressed by the Applicant:

'c'(1)'/c'(2) Variance Relief

The statute provides two approaches to 'c' variance relief, commonly referred to as the 'physical features' test and the 'public benefits' test as described below. The Applicant may apply one or both of these tests in providing justifications for their 'c' variance requests.

- A. Physical Features Test: An applicant may be granted 'c'(1) variance relief when it is demonstrated that the noncompliant condition is caused by 1) an exceptional narrowness, shallowness, or shape of the property, 2) exceptional topographic conditions or physical features uniquely affecting a specific piece of property, or 3) by reason of extraordinary and exceptional situation uniquely affecting a specific piece of property or the structures lawfully existing thereon.
- B. Public Benefits Test: An applicant may be granted 'c'(2) variance relief where it can prove the following: 1) that the granting of the variance will advance the intents and purposes of the MLUL; 2) that the benefits of granting the variance substantially outweigh any potential detriments. The benefits are required to be public benefits rather than a benefit that simply accrues to the property owner.

In addition, the Applicant must address the Negative Criteria of the statute. Specifically, the Applicant must demonstrate: 1) the variance can be granted without substantial detriment to the public good; and 2) that granting the relief will not substantially impair the intent and purpose of the master plan and zoning ordinance.



STAFF COMMENTS REPORT

DATE: May 7, 2025
FROM: Chris Nicola, Assistant Zoning Office
TO:

☐ **FLOOD ZONE**

<input type="checkbox"/>	Eric Evers	Fire Chief
<input type="checkbox"/>	Steven Zagorski	Police Chief
<input type="checkbox"/>	Engineering	Colliers
<input type="checkbox"/>	Ralph Maritato	Construction Official

<input type="checkbox"/>	John Linson	City Forester
<input type="checkbox"/>	Health Dept.	Westfield
<input type="checkbox"/>	Caroline King	Chair, HPC
<input type="checkbox"/>	Planner	Burgis Assoc.
<input type="checkbox"/>	TBD	Environmental Commission

Property Address	4 Hughes Place	Block: 4202	Lot: 18
Application #:	zb-25-2284	Applicants Names: Mani Maleki	
Description/Variances:	(c) - variance for front-yard setback to construct addition and (c) - variances for front-yard setback for A/C location.		

Comments Due Date:	May 27, 2025	Please email cnicola@cityofsummit.org if you are unable to meet this date.
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Attached is a copy of the plans and application for the subject property. Please review this proposal and return a copy of this memo with your comments prior to the date indicated above. Attach additional pages or reports, if necessary.

COMMENTS: Build to code (ML)

Print Name:	Eric Evers		Print Title:	Chief SFD	Date:	6/2/25
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TO:

<input type="checkbox"/>		
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COMMENTS:

No objections

Chris Nicola

Print Name:		Print Title:		Date:	
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TO:

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COMMENTS: _____

The proposed improvements do not increase the impervious coverage more than 300 square feet. We take no exception to the improvements from an engineering standpoint. _____

Print Name:	Marie Raffay, PE	Print Title:	Board Engineer	Date:	5/23/25
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TO:

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<input type="checkbox"/>		
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COMMENTS: _____

In accordance with NJAC 5:23-6.32, the following requirements must be met for smoke detectors:

At least one AC-powered, interconnected smoke detector with battery backup is required on each level of the building, including the basement.

Smoke detectors must be installed in all sleeping areas and a Smoke/Carbon Monoxide detector within 10 feet of all bedroom doors.

If the variance is granted, ensure that the compliance with these smoke detector provisions is clearly indicated on the construction plans submitted for permit approval.

All plans must adhere to current building codes.

Print Name:	Ralph Maritato	Print Title:	Construction Official	Date:	5-8-25
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DATE: May 7, 2025

FROM: Chris Nicola, Assistant Zoning Officer

☐ **FLOOD ZONE**

TO:

<input type="checkbox"/>		
<input type="checkbox"/>	Eric Evers	Fire Chief
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COMMENTS:

This is a very tight lot. With overhead electric primary on Baltusrol Road it is not very practical to plant screening that will shield second floor improvements.

Print Name:	John Linson	Print Title:	Forester	Date:	5/22/25
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DATE: May 7, 2025
FROM: Chris Nicola, Assistant Zoning Officer
TO:

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<input type="checkbox"/>		
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<input type="checkbox"/>	TBD	Environmental Commission

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COMMENTS: No comments.

Print Name:	George Kostas	Print Title:	REMO	Date:	5/9/25
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STAFF COMMENTS REPORT

DATE: May 7, 2025
FROM: Chris Nicola, Assistant Zoning Officer
TO:

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<input type="checkbox"/>		
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Attached is a copy of the plans and application for the subject property. Please review this proposal and return a copy of this memo with your comments prior to the date indicated above. Attach additional pages or reports, if necessary.

COMMENTS: C1946

THE HOUSE IS NOT LISTED IN THE HISTORIC SITES INVENTORY
THE PROPOSED ADDITION IS SMALL IN SCALE
THE HPC TAKES NO EXCEPTIONS TO THIS APPLICATION

Print Name:	CAROLINE KING	Print Title:	CHAIR, HPC	Date:	5/27/2025
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STAFF COMMENTS REPORT

DATE: May 7, 2025

FROM: Chris Nicola, Assistant Zoning Officer

TO:

☐ FLOOD ZONE

<input type="checkbox"/>		
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<input type="checkbox"/>	Health Dept.	Westfield
<input type="checkbox"/>	Caroline King	Chair, HPC
<input type="checkbox"/>	Planner	Burgis Assoc.
<input checked="" type="checkbox"/>	Francie Cho	Environmental Commission

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COMMENTS: _____

The application is for variances necessary to construct a second-floor bathroom requiring a dormer (the footprint of the house will remain unchanged), as part of a first and second floor renovation, and also to install an exterior a/c unit. Because this is a corner lot, there isn't a conforming location for this structure. These improvements will greatly increase the functionality of the property.

For alterations of this nature, the Environmental Commission encourages the homeowners and their architect to consider planting native shade trees and shrubs on the open spaces of the property to assist with site hydrology. We will note that native species are beautiful and cost effective. They require far fewer inputs (water, fertilizer, and pesticide), protect our soil and waterways, and provide habitat for native birds and butterflies. This [Guide to Landscaping with Native Plants](#) and searchable [database](#) can be helpful in finding native replacements, as well as the Rutgers list of native plants (<https://njaes.rutgers.edu/fs1140/>). We also encourage the use of solar panels on appropriately oriented roof areas.

On behalf of the Summit Environmental Commission, I recommend approval of the requested variances.

Print Name:	Francie Cho	Print Title:	Environmental Comm. Alt.	Date:	5/27/2025
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